



DAC / *[initials]*

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

ATTORNEY DOCKET NO.: AUS919970560US2

In re Application of: **DANIELS, ET AL.**

Confirmation No. **7036**

Serial No.: **10/054,184**

Examiner: **UNKNOWN**

Filed: **January 22, 2002**

Art Unit: **UNKNOWN**

For: **DATA PROCESSING SYSTEM AND
METHOD INCLUDED WITHIN AN
OSCILLISCOPE FOR INDEPENDENTLY
TESTING AN INPUT SIGNAL**

Customer No. **28722**

**PETITION TO REVIVE UNINTENTIONALLY
ABANDONED APPLICATION UNDER 37 C.F.R. § 1.181**

Commissioner for Patents
Mail Stop Petition
P.O. Box 1450
Alexandria, VA 22313-1450

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SEP 03 2003

OFFICE OF PETITIONS

Sir:

Applicant respectfully petitions the revival of the above-referenced patent application,
which was unintentionally abandoned for the following reasons:

CERTIFICATE OF MAILING 37 C.F.R. § 1.8(a)	
I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date below.	
Date 8/27/03	Signature of Annie Zehren <i>[Signature]</i>

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Attorney Docket No.: AUS919970560US2

A comprehensive review of Applicant's file by the undersigned attorney reveals the following facts:

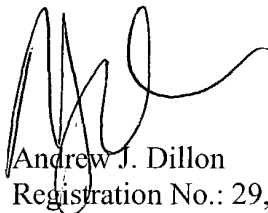
On July 18, 2003, a status check was conducted on the aforementioned application, which revealed a Response to the Notice to File Corrected Application Papers was never submitted. Applicant's Attorney promptly prepared and filed a Response to correct the application papers and submitted the related drawings, along with a Petition for a Two Month Extension of Time and the appropriate fee, attached hereto. Thereafter, a copy of the filed Response was forwarded to our Docketing Clerk, Vicky Filipowsky. Ms. Filipowsky reviewed the filed documents and realized the Notice was submitted on April 9, 2002 and not April 9, 2003, as Applicant's Attorney perceived. Applicant encloses payment for the petition fee set forth in §1.17(m) as required by §1.137(d)(i) in the amount of \$1,300.00 to revive the unintentionally abandoned Application.

Applicant further submits in conjunction herewith, a Request for Refund of the extension fee presented to the United States Patent and Trademark Office on July 21, 2003, in the amount of \$410.

Thus, in view of the facts set forth above which show abandonment of the Application was unintentional, Applicant requests revival of the present Application as unintentionally abandoned. The entire delay in filing the required reply from the due date for reply until the filing of the grantable petition pursuant to this paragraph was unintentional. An early action on this petition is respectfully requested.

Applicant has enclosed payment for the petition fee set forth in §1.17(m) as required by §1.137(d)(i) in the amount of \$1,300.00 to revive the unintentionally abandoned Application. In the event any additional fees are required, please charge **IBM Corporation Deposit Account No. 09-0447**.

Respectfully submitted,



Andrew J. Dillon
Registration No.: 29,634
BRACEWELL & PATTERSON, L.L.P.
111 Congress Avenue, Suite 2300
Austin, Texas 78701
512-472-7800
ATTORNEY FOR APPLICANT(S)

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Received in the U.S.P.T.O.
In re Application of:
**Title: Data Processing System and Method Included
within an Oscilloscope for Independently Testing an
Input Signal**
Serial No. 10/054,184
Attorney Docket No. AUS919970560US2

ENCLOSED HEREWITH:

1. Petition for Ext. of Time/2 month (\$410 - check)
2. Response to Notice to File Missing Parts (\$130 - deposit acct)
3. Formal Drawings Three (3) Sheets

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REC'D B & P JUL 28 2003

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3. Formal Drawings Three (3) Sheets
4. Part 2 - Copy

IBM Corporation
Our Ref.: 0116AD-045610
Mailed on: July 18, 2003
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